

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Matthew E. Hansen

Appl. No.: 09/339,506

Filed: June 24, 1999

For: Method and Apparatus for  
Characterization of Optical  
Systems

Confirmation No.: 2715

Art Unit: 2877

Examiner: H. Lee

Atty. Docket: 1857.1460000

*Copy On Way*

**Petition to Withdraw from Issue under 37 C.F.R. § 1.313(c)(2)  
For Consideration of a Request for Continued Examination**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is hereby petitioned under 37 C.F.R. § 1.313(c)(2) that the above-captioned application be withdrawn from issue for consideration of the accompanying request for continued examination in compliance with 37 C.F.R. § 1.114.

It is believed that no extensions of time are necessary, other than those that are otherwise provided for herewith. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the above-captioned application, then such extensions of time are hereby petitioned.

This petition is accompanied by the required fee (37 C.F.R. § 1.17(h)). The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

05/05/2004 MGBREM1 00000014 09339506

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130.00 0P

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Jan Eisenberg*  
Jason D. Eisenberg  
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Date: 5/5/04

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\*Admitted only in Maryland  
•Admitted only in Virginia  
•Practice Limited to Federal Agencies

May 5, 2004

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Art Unit 2877

Re: U.S. Utility Patent Application  
Application No. 09/339,506; Filed: June 24, 1999  
For: Method and Apparatus for Characterization of Optical Systems  
Inventor: Matthew E. Hansen  
Our Ref: 1857.1460000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (PTO/SB/17);
2. Petition to Withdraw from Issue under 37 C.F.R. §1.313(c)(2) for Consideration of a Request for Continued Examination;
3. Request for Continued Examination (RCE) Transmittal Form (PTO/SB/30);
4. First Supplemental Information Disclosure Statement (IDS);
5. Form PTO-1449 (2 sheets) listing the cited documents;
6. Copies of the five (5) cited documents;
7. Credit Card Payment Form (PTO-2038) in the amount of \$900.00 to cover:  
\$770.00 RCE filing fee;  
\$130.00 Petition fee; and
9. Return postcard

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

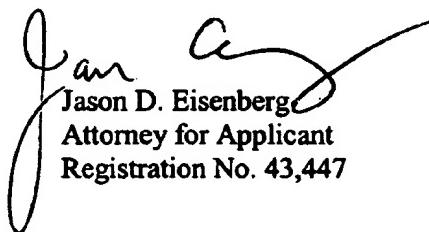
Commissioner for Patents  
May 5, 2004  
Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Jason D. Eisenberg  
Attorney for Applicant  
Registration No. 43,447

JDE/lvt  
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# FREE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\\$) 900.00</b>
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## Complete If Known

Application Number	09/339,506
Filing Date	June 24, 1999
First Named Inventor	Matthew E. Hansen
Examiner Name	H. Lee
Art Unit	2877
Attorney Docket No.	1857.1460000

## METHOD OF PAYMENT (check all that apply)

- Check  Credit card  Money  Other\*\*  None Order

\*\*Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036

Deposit Account Number	19-0036
Deposit Account Name	Sterne Kessler, Goldstein & Fox P.L.L.C.

The Director is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	- 20 **=	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 3 **=	X		
Multiple Dependent				

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2) (\$)</b>			

\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity
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Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	770.00
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3) (\$)</b>	900.00

(Complete if applicable)

Name (Print/Type)	Jason D. Eisenberg	Registration No. (Attorney/Agent)	43,447	Telephone	(202) 371-2600
Signature	<i>Jason D. Eisenberg</i>			Date	5/5/04

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.